IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Writ Petition 224 of 2007

Date of decision: 22.3.2007

Devender and anr …Petitioners

Versus

State of Haryana and ors … Respondents

Present: Mr Bijender Dhankar, Advocate for the petitioners.
Mr Narender Sura, AAG Haryana.

S.S. SARON, J (oral).

Reply by way of affidavit of Virender Singh, SI/SHO Police Station Kharkhoda has been filed. The same is taken on record.

This petition under Article 226 of the Constitution of India was filed seeking writ in the nature of habeas corpus directing the respondents to produce the detenus along with their belongings in this Court. Notice of motion was issued in this case on 12.3.2007 for today. Meanwhile, the SHO Police Station Kharkhoda was asked to make an inquiry with respect to the allegations made in the petition and if the alleged detention of the detenus as mentioned in para 4 of the petition was illegal, he was to get them set free forthwith.

In the reply that has been filed, it is stated that on 13.3.2007, ASI Baljit Singh along with Police officials raided the premises of the brick kiln at 8.30 p.m. The petitioners – Devender and Pale Ram met Baljit Singh ASI along with the detenus at the brick kiln and they told him that they have not been detained illegally by any person. Besides, they had come at the said brick kiln for labour work at their own wishes. It is further

stated that they now wanted to work at some other place and they further told that due to this reason they have filed the present writ petition so that they may go easily to their home/place of work. Thereafter, all the alleged detenus left the premises of the brick kiln for their home in a private vehicle. It is stated that the detenus had not been detained illegally by any person, as alleged by the petitioners.

Keeping in view the aforesaid circumstances, the present petition is dismissed.

22.3.2007. (S.S.SARON)
ASR JUDGE